IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Writ Petition No.3187 of 2006

Vithalai V.K.S.(Vikas) Seva Sanstha Ltd. Petitioner
Vs.
Ganesh V.K.S.(Vikas) Seva Sanstha Ltd. & ors. Respondents

Mr.P.D.Dalvi for petitioner.
Mr.A.H.Palekar, AGP for Resp.Nos.2 to 4.

CORAM: B.H.MARLAPALLE,J.
July 13, 2006.

P.C.

. Heard Mr.Dalvi, the learned counsel for the petitioner - Co-operative Society which is aggrieved by the order dated 5/9/2005 passed by the Asst. Registrar, Co-operative Societies thereby granting registration to the Respondent No.1-Society under the Maharashtra Co-operative Societies Act, 1960. The said order has been challenged by the petitioner in an appeal filed under Section 152 of the said Act and the said appeal along with an application for stay is said to be pending before the Divisional Joint Registrar, Co-operative Societies, Kolhapur Division at Kolhapur and inspite of various adjournments the stay petition has not been decided, alleges Mr.Dalvi. He has also pointed out by reading the last paragraph of the impugned order passed by the Asst. Registrar that the registration to Respondent No.1 has been

solely granted on the recommendations of the Hon'ble Minister for Co-operation, Maharashtra State.

. It is hereby directed that the Divisional Joint Registrar, Co-operative Societies, Kolhapur Division shall hear the appeal and/or the stay petition as expeditiously as possible and decide the same on its own merits. The stay petition shall be decided by the next date i.e. 21st August 2006 and if the appellate authority decides to hear and decide the main appeal itself, he is at liberty to do so but the appeal shall be heard and decided on its own merits by 30th September 2006. It is further made clear that the appeal and/or stay petition shall be decided without being influenced that the registration of the Respondent No.1 - Society has been granted on the basis of the recommendations made by the Hon'ble Minister.

. Petition disposed off in terms of the above directions.

(B.H.MARLAPALLE,J.)